





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Keisuke SUZUKI

Title:

POLYCYCLIC KETONE COMPOUND AND PROCESS FOR PRODUCING

THE SAME

Application No.:

10/591,974

International Filing

03/10/2005

Date:

371(c) Date:

09/08/2006

Examiner:

Alicia Fierro

Art Unit:

1626

Confirmation No.:

4959

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This communication is responsive to the restriction requirement set forth in the Office action mailed May 1, 2009. Applicant hereby provisionally elects Group I, Claims 1-7 and 13-15 for examination, without traverse.

The Examiner has imposed a formal restriction between four allegedly distinct inventive groups. Group I (claims 1-7 and 13-15 (in part)), directed to a method for making various compounds of Formula (I), Group II (claims 8-12 and 13-15 (in part)), directed to a method for making various compounds of Formula (IIa) and (IIb), Group III (claims 16-19), drawn to compounds of Formula (I) and Group IV drawn to compounds of Formulae (IIa) and (IIb), (claim 20).

The PTO further requires the election of a species within the elected group. For example, the PTO states that if Group I is elected, the Applicant is required to identify the name and structure of one species, the location of the species within the claims or within the specification, as well as the claims that read on the elected species. See Office Action on page 4.

Applicant hereby elects 5α -(4-methylphenyl)-10-(2,2-dimethylethyl)dimethylsilyloxy-6-oxo-3,4,5,5 α -tetrahydroanthra[9,1-cd]isoxazole for prosecution, the structure of which is as follows:

Support for this species can be found in the specification, particularly, in working example 1. Applicant further states that claims 1-7 and 13-15 read on the elected species. The Office asserts that to be fully compliant, Applicant must provide the exact definitions for the substituent groups in Formula (I). Thus, in Formula (I) R¹ is an optionally substituted silyloxy group, R⁴ is an optionally substituted phenyl ring and the value of "m" and "n" in R² and R³ respectively are zero ("0").

Respectfully submitted,

Date May 18

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, then the Commissioner is authorized to charge the unpaid amount to the same deposit account. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extension fees to the same deposit account.